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The Demandingness of Beneficence and Kant's System of Duties¹

This paper contributes to the discussion of the moral demandingness of Kantian ethics by critically discussing an argument that is currently popular among Kantians. The *argument from the system of duties* holds that (a) in the Kantian system of duties the demandingness of our duty of beneficence is internally moderated by other moral prescriptions, such as the indirect duty to secure happiness, duties to oneself and special obligations. Furthermore, proponents of this argument claim (b) that via these prescriptions Kant's system of duties incorporates into morality what current debates on (over-)demandingness call happiness and personal projects. These two claims are in conjunction supposed to establish that Kant's ethics, at least when it comes to beneficence, is not plagued by the problem of excessive moral demands. We show that claims (a) and (b) are mistaken given what Kant says about beneficence, the application of imperfect duties and about emergencies. We finally argue that special obligations towards loved ones, a class of obligations largely overlooked by advocates of the system of duties, are the most promising candidates for internal moderation. These duties are, however, of a narrow scope.

Keywords: Kant, overdemandingness, beneficence, duties to self, happiness, special obligations

Many philosophers, such as Wolf, Williams and Scheffler, argue that a moral theory cannot be right if compliance with its demands makes the life of a complying agent deeply unappealing. This problem is usually discussed as a problem for Consequentialism. Recently, a debate has emerged about the potential (over-)demandingness of normative theories other than Consequentialism, such as Contractualism (Ashford 2003, Hills 2010) and virtue ethics (Swanton 2009). There is also now an emerging debate focusing on Kant and Kantian ethics with Ignieski (2008) and Pinheiro Walla (2015) arguing that Kantian ethics offers an alternative to a highly demanding and thus unintuitive ethical theory. Van Ackeren, Sticker (2015), by contrast, stress that Kant's conception of perfect duties raises overdemandingness issues.

A number of topics that have a bearing on the demandingness of Kant's ethics, such as Kant's supposed devaluation of happiness and the requirement of a specific motivation for morally worthy actions, have already received plenty of attention in the literature. In the current paper, we will focus on an issue that has received much less critical attention. We will critically assess a strategy recently advocated by a number of Kantians who assume that the main source of potential excessive moral demandingness is our duty of beneficence, especially with regard to the globally poor², and who argue that the demands of beneficence to the poor are moderated by other moral prescriptions. This *Argument from the System of Duties* is based on the idea that the duty to help or rescue the globally poor, which is usually the focus of the demandingness debate, is moderated *internally* by other moral prescriptions. This contrasts with strategies that, in response to excessive moral

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² This assumption is for instance shared by Sherman (1997: 331), Vogt (2008), Timmermann (2005), Herman (2007: ch.9, and 12), Pinheiro Walla (2015); note the exception van Ackeren, Sticker (2015).

demands, question the overridingness or absolute authority of morality (Dorsey 2012) or pose so-called “agent prerogatives” (Scheffler 1982) or a sphere of non-moral goods that morality cannot require us to give up, such as one’s integrity (Williams 1973). According to the argument from the system of duties, morality has absolute authority and can, in principle, require that I sacrifice everything, but essential aspects of my own good life are a duty to secure or pursue. This mitigates or moderates how much sacrifice morality usually demands of me.

We take it that, according to our common sense morality, we have different moral obligations, with different degrees of stringency and with different objects or addressees. Discussing whether such a rich notion of duties or a system of duties can substantially moderate demandingness is therefore central for expanding the scope of the demandingness debate beyond Consequentialism. The upshot of our paper will be that neither the indirect duty³ to secure one’s happiness nor duties to oneself are able to moderate in a substantial way the demandingness of beneficence. Thus, the Kantian system of duties is more demanding than proponents of the argument from the system of duties believe, and we have one reason less to believe that Consequentialism is much more demanding than Kantian moral theory.

We begin (sec.1) by laying out the foundations of the argument from the system of duties in Kant. We then (sec.2) argue that there can be better and worse ways to apply imperfect duties to particular cases and that emergency is one of factors that has to guide our application of these duties. This is important, since our subsequent discussion will concern the question of how agents are supposed to weigh different normative prescriptions against each other. The first prescription we discuss (sec.3) is the *indirect duty to secure one’s own happiness*.⁴ We argue that this indirect duty does not limit the demandingness of duties in a significant way, and that it encompasses our common notion of happiness only to a very limited extent. We then (sec.4) discuss in what sense Kant’s notion of *duties to self* can moderate demandingness (see for instance Dennis 2001, Vogt 2008, Ignieski 2008). Again, we argue that the duty to develop one’s talents cannot limit the demandingness of beneficence significantly nor does it adequately account for what we call personal projects. Finally (sec.5), we discuss special obligations, which allow us to attach greater moral significance to those *near and dear to us* (see for instance Baron 2008, Herman 2001). Special obligations specify our general duty of beneficence and they moderate our imperfect duties to strangers to some extent, but they can only be of limited moderating force when we consider the role emergency plays for moral deliberation as well as how much emergency there currently is and how much of a difference affluent agents can make.

The two most important upshots of our critical discussion of the system of duties argument will be, firstly, that emergencies play a significant role for Kantian duties of beneficence and they outweigh many other morally significant concerns, including those pertaining to our own happiness. This is largely so since global poverty as it currently exists, consists of many individual emergencies and we could and should help at least some of the victims of these emergencies. Secondly, special obligations matter for delineating what precisely we owe and to whom we owe it, and this affects the demandingness of an ethical theory, albeit not in such a way that it would substantially reduce moral demandingness under current circumstances. Our overall conclusion will therefore be critical of the system of duties argument.

³ We will understand “system of duties” in a broad sense as encompassing all moral prescriptions, including indirect duties, though these are not proper duties (see sec.3).

⁴ See Sherman (1997: 339), Pinheiro Walla (2015: sec.2) who advance versions of this strategy. Herman argues that there are elements within morality that “construct a bridge between morality and happiness” (Herman 2007: 281), and that “draw own-happiness into the space of moral reasons” (Herman 2001: 238). Herman is also a proponent of the strategy we discuss in sec.4. She argues that obligatory ends as conceived of by Kant, including self-perfection, “bring a wide range of ordinary human concerns inside morality. [...] In securing norms of regard for the well-being of self and other, obligatory ends make these considerations anchors for sound reasoning to action” (Herman 2011: 100).

One note before we begin our discussion: In this paper, we do not make any assumptions concerning a specific demarcation line between reasonable demandingness and unacceptable overdemandingness. We will only argue that Kant is more demanding than the argument from the system of duties suggests. Whether Kant is also *overdemanding*, or rather appropriately demanding given the current state of the world, will require an ultimate answer to the question of how much morality can demand, as well as scrutiny of further elements of Kant's theory. This is, however, outside of the scope of a critical evaluation of the argument from the system of duties.

1. Kant on Demandingness and the Argument from the System of Duties

In this preparatory section, we will show that it is textually warranted to confront Kant with the problem that his theory might be too demanding. Furthermore, we will provide an overview of Kant's distinction between different duties and show how they constitute a system of duties.

Occasionally philosophers claim that the problem of demandingness cannot be adequately discussed with regard to Kant (e.g., Vogt 2008: 222). This view has presumably two sources. Firstly, the debate about overdemandingness seems to be anachronistic when applied to Kant for it appears to be a fairly new one, having only begun roughly 40 years ago. Secondly, the systematic debate about problems of demandingness has traditionally focused on Consequentialism and therefore does not translate to Kant's moral theory in a straightforward way.

Both points are mistaken. Problems of demandingness were raised before the 20th century and not only with regard to Consequentialism.⁵ Kant himself is evidence for this. In the *Dialectic of the Second Critique*, he criticizes the Stoics for "straining the moral capacities of a *human being* [...] far beyond all the limits of his nature" (V:127.2-3). An ethical theory, which does not pay attention to the limits of finite rational beings, is, according to Kant, deficient and establishes an unrealistic and unachievable ideal. This is a problem since finite rational agents must always be able to live up to moral commands, at least if they really try (see V:36.28-39). Furthermore, in the *Metaphysics of Morals*, Kant warns of the "fantastically virtuous" character who is "too virtuous", and thinks that duty has to be considered in every decision. This would turn virtue into a "tyranny" (VI:409.13-19). Kant is aware that moral theory can unduly interfere with an agent's life. It is therefore legitimate to ask whether or not Kant's own theory is afflicted by the same problem.

Debate about the demandingness of Kant's ethics usually takes the form of discussion of what it means that imperfect duties admit of "leeway" or "latitude" [*latitudo* or "*Spielraum*"] (VI:390.6-7). "Latitude" means that it is up to the agent to discover the concrete situations in which an obligatory end can be furthered, and the concrete actions that do so. It is controversial whether latitude also extends to the question of *how much* an obligatory end is to be furthered. According to Cummiskey's (1990: sec.7) "Spartan" interpretation, Kantian beneficence demands the same level of sacrifice as fairly demanding rule-consequentialist normative theories. By contrast, latitudinarians such as Hill (1992: ch.8) and van Ackeren, Sticker (2018) emphasize that we do not have to further obligatory ends as much as we can. Latitudinarians believe that pursuing our own happiness and non-moral projects, whilst not itself morally obligatory, is rational and morally permissible, and has to be weighed against the requirements of imperfect duties.

The argument from the system of duties is sometimes presented as an alternative to latitudinarianism (e.g., Vogt 2008: 219). The idea of the argument from the system of duties is that

⁵ See for instance Hegel's criticism of Kant (e.g., *Elements of the Philosophy of Right* §133, 135; *Phenomenology* V.C.c., VI.C). This criticism has been read as an early form of the demandingness objection (e.g., by Habermas 1991). See also Murphy (1993: fn.4 and 5) for further references concerning the history of the demandingness objection.

the duty of beneficence is not outweighed by extra-moral concerns, but that it is limited from *within* morality due to the *moral* status of well-being, projects and relationships. Thus, this argument takes a route that differs from many current approaches, which suppose that well-being, ground projects and relationships limit moral demands as *non-moral* but nonetheless valuable aspects of human existence (see e.g., Wolf 1982, Scheffler 1993, Wallace 2004). The argument from the system of duties can remain neutral concerning the contentious issue of how the normative force of morality is to be weighed against non-moral considerations.⁶ Arguments from a system of duties are sometimes also labelled “argument from presuppositions” (see Cullity 2009), according to which duty is moderated by reference to what is already presupposed by morality.⁷ According to the system of duties argument, Kantian Morality is self-moderating due to the balance between our different duties to self and others. For Kantians the system of duties argument also is attractive on textual grounds, since Kant emphasizes that latitude only means that one obligatory maxim can be restricted by *another obligatory maxim*, not that we can make occasional exceptions from morality (VI:390.9-14, see also sec.2).

The Kantian system of duties is based on two distinctions. The first is *duties to self* vs. *duties to others*, the second *perfect duties* vs. *imperfect duties*.⁸ Perfect duties, such as the prohibition of lying and suicide, specify concrete actions we ought to refrain from no matter what. Perfect duties to others can be duties of right and thus be externally enforced and legislated into positive law (VI:232.1-29). Imperfect duties, such as beneficence and self-perfection, instruct agents to incorporate certain obligatory ends into their maxims. Imperfect duties are conditional in the sense that they are only to be exercised when no perfect duty would be violated by their exercise. The reason for this is that, according to Kant, violations of imperfect duties when universalized only generate a contradiction in willing, whereas violations of perfect duties when universalized also generate a stronger contradiction, one in thought (see IV:424.3-10). Perfect duties are typically negative (do not lie, do not kill yourself, see VI:419.15-8), and hence more than one of them can be fulfilled at the same time. Imperfect duties always give way to perfect duties, and they do not directly conflict with each other in concrete situations, since they do not require specific actions, but commitment to ends, and an agent can be committed to more than one end at the same time.

The argument from the system of duties is a *type* of argument, the different versions of which differ according to the moderating duty. In what follows, we will approach the system of duties argument by examining the ability of three different types of prescriptions that supposedly limit the demandingness of beneficence. These are normative prescriptions that are not themselves duty (sec.3), imperfect duties to self (sec.4) and special obligations, which are largely, though not exclusively, different obligations under the duty of beneficence (sec.5). We thus hope to provide an exhaustive critical discussion of all the promising intra-systematic possibilities to limit demandingness and hence a fair critical assessment of the system of duties argument as it pertains to Kant.

The potential limiting power of *perfect* duties can be dealt with relatively quickly. As seen above, perfect duties always trump imperfect duties in the sense that we may never violate a perfect duty in order to further an obligatory end. For instance, we may never make a wrongful promise to obtain money even if we give the money to a charity. Perfect duty, for Kant, does not only constrain our self-interest, but also ways to comply with imperfect duties. This constraint, however, does not

⁶ Kant himself is of course not neutral regarding the status of morality – see prominently the first sentence of *Groundwork* I (IV:393.5-7).

⁷ See Ignatiev (2008) who presents a Kantian argument from presuppositions. The presupposition in her case is autonomy as the foundation of morality and as that which may not be infringed upon by moral demands.

⁸ See Kant’s provisional distinction in the *Groundwork* (IV:421.fn.), and the definite one in his *Metaphysics of Morals* (VI:390).

moderate the demands of beneficence. It merely means that there are fewer options for complying with them. This might make the fulfilment of our imperfect duties even more demanding, since some easy options (such as lying in order to save a person from a murderer looking for his victim) might be ruled out as violations of more stringent duties.⁹ Furthermore, it should go without saying that the prohibition of suicide is perfectly compatible with a highly demanding ethics that requires living a life hardly worth living. Kant does not believe that the prohibition of suicide rules out doing things that are extremely detrimental to one's survival or well-being.¹⁰ We will see in section 5, however, that there is one kind of perfect duty which can moderate demandingness more than other perfect and imperfect duties, namely, a duty of right towards one's own children.

It should be noted that Kantians sometimes point out that technically we do not have duties *to others*, since all our duties are owed to our rational self (see VI:388.24-5, 417.5-418.23). This means that “no one else has a right to require me that I sacrifice my ends if these are not immoral” (ibid.38824-5), and that others cannot complain (blame me, demand reparation, etc.) if I refuse to help them. Kant's ethics is, however, less concerned with our practices of blaming others, then with critical self-evaluation. That others are in no position to blame me, does not rule out that I blame myself when I realize that I have done too little to help, even though other agents do not strictly speaking have a right to my help. The question of how much morality requires of me remains an important one, though it is not one that is necessarily answered in the language of rights.

2. Balancing Obligatory Ends

In this section, we will argue that whilst matters of application of imperfect duties leave latitude, this does not mean that there cannot be better or worse ways to prioritize different obligatory ends. We will also introduce the concept of emergency and explain why it is important for balancing different obligatory ends and for applying the obligatory end of beneficence to concrete cases. This point will be pivotal for sections 4 and 5 in which we will show that global poverty confronts us with many emergencies, because many lives are in immediate danger. We then argue that forms of beneficence that aim to relieve these emergencies often enjoy a rational priority over other exercises of imperfect duties.

It is one of the central problems for answering the question of how demanding Kant's ethics is that he says relatively little about how to prioritize or balance different ends in concrete situations. According to Kant, there cannot be rules that completely determine judgment, i.e., the application of general rules to specific cases (see A/B:132-3/171-2, V:169, VIII:275). In judgement we have to go beyond rules. Due to lack of a rule that unambiguously determines matters of judgement, Barbara Herman (2001: 228) argues that when balancing between global moral requirements and special obligations to loved ones “it is hard to imagine striking a balance that will not seem arbitrary”.¹¹ Furthermore, as we saw, imperfect duties admit of latitude. Hill (1992: ch.8) argues that we should understand latitude as the “freedom to choose to do x or not on a given occasion, as

⁹ In addition, Kant sometimes indicates that some of our duties to the poor might be perfect duties. He considers it a casuistical question whether it is beneficent at all when rich people help the poor and the poor are poor due to systematic injustice and this injustice is what allowed the rich to become rich (VI:454.22-8). In pre-critical lecture notes, Kant is even clearer: If we only “repaid [someone] what we were helping to take away through a general injustice”, then “even acts of kindness are acts of duty and indebtedness” (XXVII:416.9-12). According to this, it might even be a perfect duty or one with considerably less latitude than normal beneficence to fight world poverty insofar as it springs from systematic injustice. Perfect duties thus might make morality rather more than less demanding. See Pogge (2008) for a prominent proposal to understand our duties to the globally poor as perfect duties of justice.

¹⁰ See for instance the famous second Gallows Case in V:30.

¹¹ Herman (1993: 77) believes that judgement can be non-arbitrary if we introduce rules of moral salience, which “structure an agent's perception of the world so that what he perceives is a world with moral features” (Herman 1993: 77). These rules are “acquired as elements in moral education” (ibid.) and “in childhood as part of socialization” (ibid.78).

one pleases, [...] provided that one is ready to perform acts of that sort on some other occasions” (ibid.155). According to this reading, obligatory ends only require that we do *something* to further them, but we are free to decide what this is and how much we do.

However, there are a number of indications that Kant believes that more can be said about the application of imperfect duties than that it is entirely up to the individual agent or arbitrary or that it leaves as much latitude as Hill believes. Matters of application require “a power of judgement sharpened by experience” (IV:389.30). Furthermore, Kant emphasizes that we should take care to help others without humiliating them (VI:448.22-449.2, 453.17-33). This presumably also requires judgement. Kant provides examples for the proposed training of the power of judgement in his *Metaphysics of Morals*’ casuistry, which serves as a “practice in how to seek truth” (VI:411.20-1). At least for some of the questions pertaining to the application of duties to concrete cases there is a *true* answer. Furthermore, Kant’s chief example for how latitude works in practice is that it constitutes “a permission to limit one maxim of duty by another (e.g., love of one’s neighbor in general by love of one’s parents)” (VI:390.11-2, see also XXVII:537.3-28). Kant here does not think of latitude as making room for subjective preferences. Rather, he talks about something that potentially generalizes to all agents here, such as that we owe our parents gratitude and a specific kind of respect that we do not owe strangers (VI:449.23-30).

Moreover, Kant declares that it is “a duty not to avoid the places where the poor who lack the most basic necessities are to be found but rather to seek them out, and not to shun sickrooms or debtors’ prisons and so forth” (VI:457.29-31). He does not say here that we have to do as much as we can to help these people, but his claim is nonetheless fairly strong. We have to actively seek out people in situations of need. Furthermore, the context of the passage – Kant discusses sympathetic feeling as a duty – makes it clear that we are not required to seek out those in need of help as a matter of intellectual curiosity, but because this is part of what it means to have adopted other’s happiness as an end. Finally, when Kant explains human beings’ rational faculties in the *Anthropology*, he says that it is the function of the power of judgement to discern “what is at stake” (VII:227.23).¹² Kant does not think that applying imperfect duty is a prioritization according to purely personal standards. Some factors matter for judgment and it is upon agents’ judgement to discern which these are in each particular situation. Furthermore, this is not only exegetically plausible, but also a reading that can potentially avoid criticism often levelled against the notion of imperfect duties, namely, that imperfect duties would supposedly allow me to choose between different and mutually exclusive ways to be beneficent without paying any attention to how great of a difference I could make.¹³

One of the factors that matters for judgement is *emergency*. In what follows, we will discuss how knowledge of emergencies bears on our judgement concerning the application of our imperfect duties. To understand the importance of emergencies we need to first look at the exact term Kant himself uses, namely, “Not(h)” or “Not(h)fall” (“case of emergency”). Emergencies are commonly understood as a “serious, unexpected, and often dangerous situation requiring immediate action”.¹⁴

¹² According to Kant’s “maxim of enlarged thought”, one such factor is the agreement or disagreement of other agents when one holds “one’s judgement up not so much to the actual as to the merely possible judgements of others, and putting oneself in the position of everyone else” (V:293.32-294.13, see also VII:228.33-4). This is a very abstract advice for concrete judgements, since it is left unspecified *who* counts as everyone and *how much* weight to attach to each standpoint. Yet, it is clear that Kant believes that a correct balancing will have to take into account whether others (in fact: everyone else, or at least everyone affected by our actions) would disagree with our actions and on what grounds. If we have to consider others’ potential grounds of disapproval, the globally poor who have strong grounds of rejecting any maxim of limited beneficence will be accorded great weight in our balancing. See Ashford (2003: sec.3) for an argument along those lines.

¹³ See Hooker (2000: 161) for this line of criticism.

¹⁴ This is the OED definition. The only aspect we contest is that emergencies have to be *unexpected*. After all, it makes a situation no less dire if it is foreseeable or ongoing and it gives us no less reasons to help. Interestingly, according to the German dictionary *Duden*, “Not” is not characterized as an unexpected situation.

There are three aspects of emergency that will become important in what follows and that have textual support in Kant.

Firstly, not any kind of unsatisfied need constitutes an emergency situation. Only *existential need*, the non-satisfaction of which constitutes a *serious peril* to the agent's life or her well-being, does. Gregor (1996: 572) usually translates "Not" as "need". Need, however, does not have to be serious, existential or immediate, since I can have a need for relatively trivial things. In Kant, however, "Not(h)" often clearly does mean "emergency". This becomes apparent, for instance, in Kant's discussion of "Nothrecht" (Right of Emergency – see VI:235.12-236.16, VIII:300fn.), which is a "supposed right to do wrong when in extreme (physical) Noth" (VIII:300.8-9). Kant here discusses how legal institutions, in particular punishment, are affected when an offender breaks the law in a situation of immediate danger to his life. Furthermore, Kant uses "Noth" often in the sense of "necessity" [Notwendigkeit] with which it is etymologically connected.¹⁵ Needs, the non-satisfaction of which constitutes an emergency, are not optional or I cannot simply abandon them. "Noth" is "not a small thing" (IX:490.16-8), but due to a very serious need.¹⁶

Secondly, emergencies call for *immediate action*. The duty to help is pressing and cannot be postponed because the emergency that existentially threatens a person is acute. As we will see below, the way Kant grounds beneficence in how agents would want to be saved, if they were in an emergency situation themselves, explains the oddity that Kant seems to have "conflated [duties of rescue] with [the] duty of beneficence in general" (Pinheiro Walla 2015). We only have a duty of beneficence *because* we can find ourselves in situations of emergency in which we seriously and urgently need help and we thus could not rationally will that a maxim of non-beneficence or complete indifference became universal.¹⁷

Thirdly, it is important to observe that Kant thinks of emergencies as special situations in the sense of an immediate and existential danger, but not in the sense that emergencies can only occur rarely or that emergencies cannot last over a long period. Kant nowhere indicates that emergencies must be something exceptional. By contrast, he speaks of the "emergencies arising from the constant wars" (VIII:310.34), i.e., he is aware that emergencies are a pervasive element of our world.¹⁸ In fact, it seems unlikely that I could will a maxim as universal that would deny me help in an emergency if this emergency is due to an ongoing issue or if I am not the only one in this type of situation. This is important to note since our everyday usage of "emergency" could be taken to imply that emergencies are something exceptional that occurs rarely and that cannot be a permanent condition. Neither Kant nor most of the contemporary debate about emergency shares this assumption. After all, war is often understood as a paradigm of emergency, and wars are not restricted in topographical and chronological scope.

The history of philosophy corroborates this: Philosophers starting with Xenophon (*Institutio Cyri* V, 5) and Plato (*Nomoi* IX, 874 b) debate whether and in what sense war is an emergency that changes the normative landscape and, for instance, justifies acts that would

¹⁵ See VII:217.30-1, VIII:165.8, 190.9, 231.6, XIX:554.14-7, XXIII.255.11-9.

¹⁶In a pre-critical lecture, Kant distinguishes explicitly between "Nothdurft", needs ["Bedürfnisse"] and matters of comfort ["Annehmlichkeit"] (XXVII:44124-7). "Nothdurft" here refers to particularly serious needs. The 18th century dictionary *Grimm* (vol.13, col.905-6) confirms that "Noth" is a serious need that puts one in a position to require others' help. Gregor (1996: 264) also sometimes uses this translation. Moran (2017), by contrast, argues that "Noth" suggests "something like a state of serious need, but not necessarily dire emergency".

¹⁷ That emergency is an important factor for imperfect duties to others also becomes apparent in Herman's idea to distinguish between a duty of mutual aid, which is largely concerned with emergency cases, and more mundane forms of beneficence. Stohr (2011: sec.3) has convincingly argued that we should rather understand our imperfect duties to others as unified and we will follow her in this. Furthermore, Herman grounds the duty of aid in an agent's true needs. We will critically discuss the notion of true needs in section 4.

¹⁸ He also characterizes a hypothetical state of nature as a state of "emergency" due to the serious threat other people pose for one's life in a state of lawlessness (VIII:22.21-5, 310.30-4).

otherwise be wrong or forbidden. Winston Churchill, in his first radio broadcast as Prime Minister on May 19th 1940, then coined the term “supreme emergency” for the military battle for Britain.¹⁹ This phrase was subsequently picked up by Michael Walzer (1977) and John Rawls (1999: 98-9). To be a supreme emergency, Walzer suggests, a threat must be imminent, extreme, and “of an unusual and horrifying kind” (Walzer 1977: 222-223). Since it is common to speak of wars as emergency and it is not implied that emergencies have to be unexpected or limited in time or location, it is warranted to apply the concept of emergencies to the situation of global poverty.²⁰

That emergencies do not have to be rare and fleeting will become very important for our argument in sec. 4 and 5 when we argue that global poverty confronts us with emergencies of many individual persons that are about to die because of malnutrition or inadequate health care, etc. We thus live in a world in which it is not rare that there are emergencies and we, affluent Westerners, could help some of the victims of emergencies. That there are currently many emergencies does not reduce the urgency of each individual emergency.

When we look at how Kant argues why finite rational agents are morally obligated to be beneficent at all, it emerges that one of the factors that matter for judgement is *emergency*. Kant’s argument in the *Metaphysics of Morals* to establish that we have to adopt others’ happiness as an end does not simply draw on the fact that finite rational agents sometimes need the help of others to accomplish their goals. Kant argues that in “cases of emergency” [Nothfällen] (VI:393.18) or “emergency” [Noth] (VI:453.5) we wish for others’ help. If the maxim of never assisting those in emergencies was a universal principle, agents’ wishes would be frustrated when they need help the most. We could therefore not rationally will a maxim of pure self-interest to be universal (VI:453.5-15).²¹

If the reason why we have to adopt the end of others’ happiness at all is that we are creatures who can be in emergency situations, then presumably one of the factors, which ought to govern judgement, is emergency. It is, after all, plausible to assume that the very concern responsible for why we are morally obligated to adopt an end at all must also matter for the application of this end.²² Apart from textual evidence, the idea that emergency is an important factor for the question of how we are morally required to act in certain situations is also so intuitive that it would be a grave oversight on Kant’s part if he did not accommodate it in some form.²³ Imagine that I am the only one who could save the child that drowns in the infamous shallow pond, and the action would come with little costs and dangers to myself (and saving the child does not require a violation of perfect duties). It seems clear that any adequate ethical theory must *require* that I save the child, not just hold that this is *one* of the things that I have reasons to do in this situation and that it is

¹⁹ <https://www.winstonchurchill.org/resources/speeches/1940-the-finest-hour/be-ye-men-of-valour/>

²⁰ Ashford (2000: 430) like others speak of the current state of the world as “a constant emergency situation”, since “there are continually persons whose vital interests are threatened and, given modern communications, the relatively well-off are continually able to help”.

²¹ In the Second Critique, Kant grounds our duty to help by arguing that we would not assent to an order of things in which everyone “looked with complete indifference on the emergency [Noth] of others” (V:69.20-35). This argument is weaker than the one advanced in the *Metaphysics of Morals* in the sense that here only *complete* indifference seems to be non-universalizable.

²² That those concerns without which an obligatory end could not be shown to be obligatory must also matter for the application of this end to specific cases is indirectly expressed by Kant in V:69.20-70.9. Herman (1984: 578) likewise assumes that “it is reasonable to expect that the casuistry of beneficence (how the principle of duty is to be applied in particular cases) will be informed by those considerations used to establish that there is such a duty”.

²³ Even latitudinarians such as Hill (2002: 212-3) acknowledge this: “meeting basic needs for life and functioning as a rational autonomous agent are clearly more important than doing pleasing favors for someone well off”, and “Kant is clearly committed to the priority of basic needs”.

permissible.²⁴ As we will see in what follows, that emergency is an important factor that should guide our application of general duties to specific cases makes Kant's ethics much more demanding than proponents of the system of duties admit. This, however, is still systematically preferable and more textually accurate than a reading of Kant, according to which there is no clear moral difference between the person who saves the child and the person who does not and instead, for instance, plays the drowning child a funeral march on the violin in order to develop her own musical talents.

It should be noted that for Kant the fact that people suffer, even that very many people suffer and that we could with relative ease alleviate at least some of this suffering, does not translate directly into a duty. We morally have to care about others' happiness (and suffering) because we cannot will a universal maxim of non-benevolence. Suffering, numbers, how easy/difficult it is to help, etc. does not *directly* factor into the universalization procedure. Once we do have to adopt the end of promoting others' happiness we are, however, required to pay attention to situations in which we could help, in which it is particularly important to do so, and in which we could promote the end of others' happiness effectively. Having to pay attention to these factors is a requirement of rationality, namely, the requirement that he who wills and end (obligatory or non-obligatory) must also will the means (IV:417.8-10, see also VI:433.23-7).

In this section, we showed that whilst agents do have latitude to set their own priorities, they cannot do it any way they like (not even any way they like within the constraints of perfect duties). There are better and worse ways of balancing and emergency is an important factor for this balancing. In section 4 and 5, our argument will draw on the distinction between mundane cases of beneficence and cases of beneficence involving emergency (to strangers or loved ones), and we will argue that global poverty confronts us with many cases of emergencies, and this renders inadequate most of the ways to internally moderate beneficence.

3. The indirect duty to secure happiness

Before we begin our proper discussion of the system of duties in this section, we should point out that our duty of beneficence is certainly restricted from within morality in three senses. Firstly, Kant is explicit that we only have to promote other agent's *permissible* ends. Secondly, we can disregard those ends of others that we do not believe to further their happiness, unless they have a contractual right to our help (VI:388.5-11). Thirdly, happiness, for Kant, is only conditionally good and it can be bad from the perspective of a "rational impartial spectator" (IV:393.19-24, see also V:110.24-6). Whether it is good that an agent is happy depends on that agent's worthiness to be happy. These three restrictions, however, do not moderate demandingness in the light of global poverty. Kant would be extremely sceptical of any attempt to convince oneself and others that other agents (such as the globally poor) are so morally unworthy that they do not deserve help, or that their survival does not further their happiness or that it constitutes an impermissible end. After all, we can never know others' dispositions and it is not *our* task (but God's) to allocate happiness based on moral worth.

A more interesting suggestion for our purpose is the idea that for Kant an agent's own "happiness and needs are not a matter of moral indifference" (Sherman 1997: 339).²⁵ This can be understood in a number of ways. A straightforward one is that it is a duty to preserve one's own happiness. This idea has *prima facie* textual support. In the Second Critique, for instance, Kant

²⁴ There is of course still some latitude even in this situation: We can, for instance, call 911 instead of jumping into the shallow pond ourselves, if this seems a promising way of saving the child.

²⁵ See also Pinheiro Walla (2015: sec.2) who includes the indirect duty to preserve one's own happiness in her list of elements that moderate demandingness in Kant.

remarks that it can “in certain respects be a duty to attend to one’s happiness”, since lack of happiness “contains temptations to transgress one’s duty” and because happiness “contains means for the fulfillment of one’s duty” (V:93.15-9). In *Groundwork* I, it becomes more apparent in which respect we have the duty to attend to our own happiness:

To secure one’s own happiness is one’s duty (at least indirectly); for lack of contentment with one’s condition, in the trouble of many worries and amidst unsatisfied needs, could easily become a great *temptation to transgress one’s duty*. (IV:399.3-7)

Kant here articulates a conviction that is presumably common amongst those who worry about overdemandingness: My own happiness must *morally* count for something.

Three things are important here. First of all, the indirect duty is *not* to strive to *promote* or even *maximize* one’s happiness, but to avoid “lack of contentment with one’s condition” or to *secure a certain level of happiness*. The point is to avoid unhappiness. This is the case because, second, this level of happiness is of *instrumental* value for morality. Agents who remain below this level have many unsatisfied and pressing needs and they are more tempted to violate duty in order to satisfy them.²⁶ Third, the instrumental role of happiness is reflected in Kant’s important qualification: securing happiness is duty “at least indirectly”.

Indirect duties occupy a peculiar position in Kant’s system of duties. They are outside of his distinction between perfect/imperfect, since they are of weaker stringency than imperfect duties. They are not the result of a universalization procedure or something we owe to humanity as an end in itself. They are not outside of the distinction between self/others though, since they specify the person *I* have to be or the means that *I* should have available in order to be able and willing to do my direct duty. In a passage in the *Doctrine of Virtue*, Kant clarifies that means for happiness only constitute ends that an agent *morally* ought to pursue *if* they help the *morality* of the agent:

To seek prosperity for its own sake is not directly a duty, but indirectly it can well be a duty, that of warding off poverty insofar as this is a great temptation to vice. But then it is not my happiness but the preservation of my moral integrity that is my end and also my duty (VI:388.26-30).

It is apparent here that indirect duties are *not* a class of duties but something that we have *in addition to* direct duties.²⁷ Indirect duties are instrumental, and they are not to be fulfilled for their own sake. They cannot constrain the end they serve (the agent’s ability and readiness to do her direct duty at

²⁶ One might of course raise objections against the psychological assumptions in the background of Kant’s conception. It seems relatively unproblematic that Kant assumes that misery tempts agents to act immorally, since an unhappy or miserable agent’s needs will be more pressing. A more difficult issue is whether being significantly above the threshold of contentment with one’s condition can make moral actions *easier*. If this were the case, agents might also have an indirect duty to be as happy as possible. Kant presumably would have to deny that such an indirect duty exists, since he clearly does not want to accord moral value to the *maximal pursuit* of personal happiness (as opposed to securing external and psychological conditions that allow a relatively unhindered exercise of one’s moral agency). It should also be mentioned that the indirect duty to avoid unhappiness is a duty to *strife* for this. Kant is of course aware that happiness is at bottom contingent (IV:417.27-419.11, V:36.28-37.5, 92.18-20, VI:215.36-216.6, VIII:286.8-287.21) and even an agent who does everything in her power to avoid unhappiness might fail, due to no fault of her own.

²⁷ See Timmermann (2006: 298): “indirect duty is not even a lesser kind of duty: it is not a species of duty at all”. Indirect duties are prescriptions to create conditions that are auspicious to the fulfillment of duty. They concern “the use of *means*” to duties (ibid.297).

all times, or what Kant in the quote calls “moral integrity”), since it is never rational to pursue means at the expense of the end they are means for. For one’s pursuit of happiness to constrain direct duty one’s happiness would need to be a direct duty.²⁸

Happiness as an object of indirect duty, if it could impose any constraints on direct duties at all, could only require that agents do not exhaust themselves so much in one or a few acts of duty that they cannot do even more good in the future. This, however, is not much of a constraint since it only means that an agent ought not to undermine her *moral agency*. If morality is too demanding, it would be of little condolence for an agent to learn that on top of other duties there is also a normative prescription to be able to do what is commanded – if anything that makes morality even more demanding. The indirect duty to secure happiness does not constitute an extra-moral prerogative to protect one’s own interests from moral demands.

There is an additional reason as to why the indirect duty to secure happiness cannot moderate demands. Happiness for Kant has two normative aspects: Firstly, it has intrinsic (though conditional) value in the sense that we do not pursue this object as a means for something else. Secondly, securing happiness has instrumental value for morality. There is a prominent worry, spearheaded by Susan Wolf’s (1982) famous paper “Moral Saints”, that certain goods that are part of a good life will lose (part of) their value if we pursue them for the sake of morality. It might be possible to engage in personal projects like golf or nouvelle cuisine *if* they also have instrumental moral value but in this case “the existence of these interests and skills can be given at best the status of happy accidents – they cannot be encouraged for their own sakes as distinct, independent aspects of the realization of human good” (Wolf 1982: 425).

This might become more apparent if we consider that the indirect duty to secure happiness only requires that we pursue happiness to a lesser extent than what we are naturally inclined to. Kant only says that *too little* happiness can be detrimental to morality and we therefore have to *secure* a certain level of happiness. He does not say that more happiness can positively influence our disposition. The indirect duty to secure happiness does not accommodate the natural human desire for more happiness than a morally safe minimum.

Our discussion of the indirect duty to secure happiness reveals a general problem for the notion of a system of duties: How is it possible that adding duties could ever make morality less demanding, if additional duties do not command to further a goal that is valued by the agent *independently of* morality or *not as an instrument for* morality? This is an important point, since for other frameworks, such as a Consequentialist one, there cannot be the worry that the good they think we are required to promote might only be instrumental for morality. In the Kantian system of duties, by contrast, we have an indirect duty to secure our happiness, such that unhappiness does not interfere with compliance with potentially very demanding moral commands. Happiness as it appears here is the chambermaid to morality and unable to put meaningful constraints on moral demands.

One final remark, which also holds for the sections to come: If elements or aspects of the good life are in any way encompassed in Kant’s notion of morality then doing our duty should contribute to our happiness in a reliable way. But this is not the case from a Kantian standpoint. Kant does not believe that acting from duty tends to further the good life of agents. He rather emphasizes the costs of morality in many passages²⁹ and sees the special value of moral actions in obedience to duty in the face of losses to our dear self.

²⁸ There is an additional problem here: Since temptation is rooted in our sensuous side, there might be great differences between agents in what tempts them and how much they are tempted. This would potentially introduce a great deal of agent-relativity into Kant’s account of duty if the indirect duty to secure happiness was a genuine duty.

²⁹ See for instance IV:401.1, V:30.27-35, 72.28-32, 155.12-157.6, VII:58.18-30.

4. The imperfect duty to develop one's talents

The indirect duty to secure happiness is insufficient to moderate demandingness, since for anything to be able to moderate duty it has to be a proper (direct) duty. We already saw (sec.1) that perfect duties, whilst they limit imperfect duties, cannot moderate demandingness to a considerable degree. This leaves other *imperfect* duties as candidates. These duties are *positive*. They do not merely prohibit certain actions, but also positively command the agent to do something (see VI:419.15-8). In many situations we could *either* perform acts of beneficence *or* further other obligatory ends, and we therefore have to balance between different ends. This makes imperfect duties *prima facie* strong candidates for moderation if they also incorporate our personal goals and make room for these goals in a moral life.³⁰

In a paper on Kant's system of duties, Katja Vogt (2008) focuses on the often neglected category of duties to *self*, in particular on the imperfect duty to cultivate non-moral talents. She makes two assumptions about this duty. Firstly, she presupposes that "much of what *we* would describe as the agent's ends (her projects, plans, etc.) might be captured in the Kantian realm of duty" (Vogt 2008: 236), specifically in the duty to develop non-moral talents. Secondly, this duty moderates imperfect duties to others, or it "delineate[s] the 'space' of duties to others within a virtuous life" (ibid.219).³¹ Vogt's idea is based on the notion that

[d]eveloping one's talents [...] is not something that we value so highly that morality should make room for it; rather, agents have a *duty* to develop their talents. A life which does not make room for learning something, or for pursuing one's talents is not a life of praiseworthy sacrifice, but rather a life in which things of moral significance are being neglected (ibid.237-8, our emphasis).

In Vogt's (2008: 237) view duties of beneficence may, for example, "conflict with the duty to push forward with a research project". It should be noted that imperfect duties do not conflict in the way duties would conflict in a proper moral dilemma, the existence of which Kant denies (VI:224.9-24). It can merely be the case that the promotion of one end in a concrete situation is incompatible with the promotion of another end in the same situation. We must certainly make an effort to promote every single obligatory end we have, otherwise we would not count as having made this end our own. However, we can clearly have ends without promoting them to a maximal extent and without promoting them to the detriment of other ends. We have to find the right balance between different ends.³²

³⁰ The duty to care for one's children, which we will discuss in section 5, is, unlike other perfect duties, *positive*.

³¹ Vogt's main focus is the debate about supererogation and the status of personal projects and close personal relationships. She does not discuss global poverty or special obligations in detail and says little about emergencies. She is, however, aware of the bearing of her discussion on the question of demandingness, and she points out that she does not claim that Kant can ultimately avoid all charges of overdemandingness: while the duty to morally perfect oneself, duties of respect, as well as duties of right "shape and structure duties to others, they ultimately make them more, or at least not less demanding" (Vogt 2008: 222). Vogt does not deny that morality is demanding, but she thinks that often morality will demand something that is in the agent's considered interest or part of her good life. The system of duties thus does have a substantial moderating role for her. See also Pinheiro Walla (2015: sec.2) who includes imperfect duties to self as a source of moderation, as well as Ignieski (2008: 239): "The duty to aid others must have a limit which does not require that we go so far as to compromise our most deeply held commitments because we have duties not only to others, but also to ourselves".

³² Since we are here not concerned with the relation between morality and extra-moral considerations, we will not discuss whether and in what way we have to balance obligatory and non-obligatory ends.

Even if we grant Vogt's assumptions, it is questionable whether the duty to develop non-moral talents can moderate the demands of beneficence very much.

First of all, it is important to be clear that this version of the argument from the system of duties is *not* independent of the notion of latitude, as Vogt (2008: 219) suggests. Where a duty stands in the system of duties, i.e., which other duties can trump or outweigh the duty, is determined by the question of whether or not the duty admits of latitude. The question of how much the duty to develop one's talents can do to moderate beneficence hinges on the difficult question of how two duties that leave latitude or two obligatory ends are to be balanced against each other.

We argued (sec.2) that balancing can be accomplished better or worse, and that emergency is an important consideration for balancing. In order to assess the demandingness of beneficence in the Kantian framework we first need to explain in what way global poverty can be viewed as an emergency and then analyse the demandingness of beneficence as an imperfect duty in the Kantian system of duty.

Kant himself says little about poverty, let alone global poverty, though in his political and anthropological writings and works on the philosophy of history Kant certainly does show awareness of the existence and pervasiveness of poverty and injustice domestically and abroad (see VI:266.10-27, 326.4-327.6). We already saw in sec.2 that Kant does not think that emergencies must be rare or temporary. Furthermore, global poverty is of course not a single event that is widespread and (almost) permanent. We speak of global poverty because of the many individual emergencies that it comprises. An emergency is an acute and existential threat for a person, and we have to acknowledge that today many thousands of persons are in such a situation, because they are about to die from malnutrition if not helped *now*. We, affluent Westerners, could help at least some of these people. There are many persons in emergency situations today and tomorrow many of them will have died because nobody rescued them today, but tomorrow thousands of different persons will be on the brink of dying. Thus if we speak of global poverty as an emergency we should take this to be shorthand for many individual acute and existential threats. Global poverty is made of many millions individual emergencies and for some of the people in these emergencies our actions of beneficence can make a huge difference.

It should be noted that when, in what follows, we stress the role of emergencies and global poverty, we are not committing ourselves to the view that there is no moral difference between the globally poor far away and the child that drowns in a shallow pond in front of us. We can accept, for instance, that we must help the child even if it would be more efficient from an impartial perspective to let the child drown and instead write a cheque to Oxfam that would enable this charity to save two or more children far away. In fact, in sec.5, we will argue that in cases where we have a shared history with or special obligations to the child in emergency we are warranted and, in some cases, maybe even morally required to rather save the child than benefit strangers if we could do only one. What we do maintain is that global poverty constitutes emergencies for many people and emergency is an important factor in our balancing of obligatory ends that outweighs many other factors such as that we could confer small benefits on a loved one instead of helping the most needy.

In sec.2, we argued that if agents have a sufficiently sharpened judgement, they will in many situations find that helping the globally poor outweighs other imperfect duties, given that many of the poorest are in emergency situations and could be helped via relatively small donations or other acts of beneficence, such as volunteering. To be fair to Vogt's proposal: We can certainly *imagine* cases in which it would be rational to prioritize developing one's talents over helping people in emergencies. An agent who fears that, if she does not soon get time off from charity work in order to practice the violin, she will lose her violin skills altogether, might rationally and morally decide to take a break from charity work in order to play the violin. After all, emergency, whilst very

important, is certainly not the only factor that matters for balancing. Developing talents is a duty even in a world rife with emergency for others. Agents presumably must do at least a minimum to develop their talents, given that for any obligatory end, failing to promote this makes an agent culpable and constitutes a violation of duty if the agent has made “it his principle not to comply with such duties” (VI:390.18-29). An agent violates her duty if she makes it her principle to not further an obligatory end, even if this principle were to maximally help the worst off at the expense of all other (obligatory) ends. Kantian agents must thus at the very least not make it a principle to ignore self-perfection (for whatever reason).

Furthermore, it should be kept in mind that the fact that there are so many people in existential need, or in short that there are so many emergencies in the world is contingent. In a world in which global poverty does not exist anymore, it would be a substantial and open question for the Kantian whether to rather extensively practice the violin or to do more to help others (for instance help a friend move houses). A standard consequentialist, by contrast, would still be required to maximize impersonal happiness as much as she can, even once global poverty is eradicated. As matters stand now at the beginning of the 21st century, the duty to develop ones’ talents, however, can only moderate duties of beneficence to a minor extent.

Vogt (2008: 240-1) tries to strengthen her case that beneficence is moderated internally by appeal to Kant’s notion of “true needs”. In the *Metaphysics of Morals*, Kant points out that how far we should go in the sacrifice of our own welfare “depends, in large part, on what each person’s true needs are in view of his sensibilities, and it must be left to each to decide this for himself” (VI:393.27-9 see also VI.432.10-2). Kant’s remark about true needs have inspired a number of interpreters to argue that true needs pose limits on what agents can be reasonably required to sacrifice, at least for the exercise of imperfect duties³³, and we should therefore discuss this notion at least briefly. Kant himself emphasizes that “what each person’s true needs are [...] must be left to each to decide for himself” (VI:393.27-9). True needs reflect an agent’s personal priorities. They do not necessarily coincide with what it might be legitimate for agents to hold on to even in the face of dire need for others. For instance, for some agents’ true needs could encompass the need for luxurious cloth and expensive holidays. It is unlikely that we could not require that agents sacrifice fulfilment of these needs for the sake of the sick and starving. In addition, if satisfying true needs is so important then surely there is considerable rational pressure on me to help others satisfy *their* true needs and maybe even to sacrifice the satisfaction of my own true needs if I could help satisfy the true needs of others more effectively than I can promote my own. Kant would still owe us a story about why *my* true needs matter more than the true needs of anyone else. Merely claiming that there are true needs is not sufficient to establish that agents are rationally permitted to care more about their own true needs than about anyone else’s. Finally, since Kant only ever mentions these needs in two passages (VI:393 and VI:432) and gives no indication of how they fit into his conception of happiness and theory of human nature and action, appeal to them in order to substantially limit duties seems *ad hoc*.

We saw in section 3 that there are two main reasons for why the indirect duty to secure happiness cannot moderate moral demands. The first is that this prescription, as an *indirect* duty, cannot outweigh proper duties. The second is that happiness, understood as the object of a moral prescription, is not what we commonly pursue or think of as happiness. This second problem does have a parallel in Vogt’s account. She assumes that the duty to develop our talents encompasses the

³³ Herman (1984: 597), for instance, grounds the duty of mutual aid in Kant’s notion of “true needs”, which she believes are the needs “whose satisfaction is a necessary condition for the exercise of rationality [...] As a person’s true needs are those which must be met if he is to function (or continue to function) as a rational, end-setting agent”. True needs would thus ground a duty as well as limit how much or what an agent can be required to sacrifice.

pursuit of our personal projects.³⁴ Against this we will now argue that the pursuit of personal projects as something that is central to our notion of the good life differs from what Kant has in mind, when he talks about imperfect duties to self.

Just as it was the case with happiness, developing talents becomes a duty only because and insofar as they have instrumental value. Vogt claims:

Each human being has the duty to be a useful member of the world, which one cannot be without developing one's talents. If one does not put effort into developing one's talents, one is, in the end, not really going to be able to act to the benefit of others. On the whole, an agent is more 'useful', if she has developed her talents (Vogt 2008: 238).

Vogt emphasizes that Kant's notion of "usefulness", which she quotes from (VI:446.1),

does not lead Kant into moralizing one's choices with respect to education and career. Which talent one wants to develop is up to one's own reasonable reflection, in accordance 'with his own rational reflection about what sort of life he would like to lead and whether he has the powers necessary for it (e.g., whether it should be trade, commerce, or a learned profession)' [MM 6: 445, §20] (Vogt 2008: 238).

Vogt explicitly denies that her reading of the Kantian conception entails "moralizing", for we are free in our choice *which* talents to develop. Indeed, there is no moralization with regard to this.³⁵ There is, however, moralization with regard to *motivation*. We take an interest in our projects and we are normally motivated to pursue them for non-moral reasons. *Motivation is moralized* when we pursue our projects *as a duty*. Even if pursuing certain non-moral personal projects can become a duty to self, *as a duty* these projects have to be pursued from duty not from interest or inclinations.³⁶ Requiring that we pursue our personal projects from duty means more than simply adding moral significance to our non-moral projects. The kind of practical necessity that is an essential part of Kant's notion of duty is not part of our common conception of personal projects and happiness. We pursue our happiness and personal projects not because we are rationally necessitated to pursue them by a universal and impersonal moral law.

Our intuitive or everyday conception of personal projects is much wider and less restrictive than Kant's theory of duties to oneself allows. There are components of the good life that cannot be made a moral obligation because they (often, sometimes or at least potentially) conflict with moral obligations. This is evidenced by the fact that according to our common understanding of happiness and projects it is not immoral if we stop pursuing them. Suppose one of your friends made a decision that was detrimental to her personal happiness and it was foreseeable that this would be so, or she stopped developing one of her talents. Maybe you will tell her that this was not good *for* her and that she was imprudent. However, we do not usually take it to be an appropriate

³⁴ Vogt (2008: 236-37). She gives as examples projects such as studying, learning to play the piano, and exercising.

³⁵ Though the reference to *rational* reflection in VI:445.31-4 strongly suggest that we are not *completely* free in picking talents.

³⁶ This of course touches on the difficult question of the exact role of duty as a motive for Kant. We take it that our discussion is compatible with standard interpretations. The literature on this topic is too vast to be considered here. A non-standard view, according to which imperfect duties do not always require duty as their effective motive, is advanced in Baron (1995).

response to tell her that she is *morally* blameworthy.³⁷ Duties we fulfill because we must, projects we pursue because we take an interest in them, they matter to us, etc., and it is morally legitimate to stop pursuing them once we lose interest. If this would not be morally permissible, Kant's ethical theory would be very confining.

It should be noted that of course helping others requires that we have developed certain skills. Mere willingness to help without skills is often not enough. Certainly, development of talents can be of instrumental value for the duty of beneficence. However, taking time off charity work to develop one's skills such that one can help more effectively does not moderate the demandingness of beneficence. The question is, after all, how the duty to develop one's talents can *limit or moderate* the duty of beneficence not how it can support it.

Proponents of the system of duty believe that philosophers such as Susan Wolf have too austere a conception of Kant's moral philosophy, because they ignore duties to self and conceive of morality only as a matter of duties to others (see esp. Wolf 1982: 420). But the worry of Wolf (1982) and Williams (1985) and in succession Nagel (1986) and Scheffler (1993) is that morality grants itself too much authority and is too intrusive in our lives. As a matter of fact, the argument from the system of duties seems to be close to the target Wolf and Williams have in mind.³⁸ The system of duties might encompass some non-moral aspects, but it does so in a restrictive and moralizing way.

5. Special Obligations

Standard Consequentialism is often criticized for being very demanding since it requires maximally promoting an overall good; a good of which an agent's personal happiness is only a marginal part. Marcia Baron (2008: 255) argues that for Kant partiality is "permissible within moral bounds". This is the case because Kant acknowledges that there are certain relationships to others, such as family and friends, that result in or come with special obligations towards these others³⁹, and that we do not have these special obligations to everyone.

In this section, we will develop Kant's notion of special obligations and discuss in what sense they are more promising when it comes to moderating the demandingness of beneficence than the candidates discussed so far. For this purpose, we will discuss separately those special obligations that do not result in duties of right, and one special obligation that does. We will argue that special obligations of the former kind can moderate more than imperfect duties to self, though, given some plausible empirical assumptions, not significantly more. Furthermore, special obligations of the latter kind are more powerful to moderate in terms of stringency, but that their scope is limited and leaves an agent with plenty of resources to be sacrificed for the globally poor.

Whilst Baron's paper on partiality in Kant's moral theory does not directly address demandingness, Baron is aware of the implications of the partiality/impartiality of Kant's ethics for this debate. She admits that partiality, as Kant conceives of it, does not entail that we have no duty to help strangers in desperate and urgent need. Even on an ethical theory that accommodates a form of partiality we still have the problem that "at almost any given time we could help some very needy

³⁷ This might be different in extreme cases in which an agent makes *no* effort to develop *any* of her talents. However, even here our moral indignation stems largely from how this might affect her ability to help others, contribute to her community and how she might become dependent on others or society.

³⁸ This is explicit for Williams (1985: 50) who criticises the idea that duties to self could make a moral system less intrusive as an attempt to "launder the currency of desire".

³⁹ Kant mentions the relation to one's spouse (VI:422.10-5), children (ibid.280.13-22, 422.10-5), political authorities (ibid.422.10-5), fellow citizens (ibid.422.10-5), parents (ibid.390.12), benefactors (ibid.454.30-456.16), friends (ibid.469.17-24) and in general those we are particularly close to (ibid.451.27-452.9).

person somewhere, and do so easily and safely [...] yet it seems clear that Kant's duty of beneficence does not require that we do so at every such opportunity" (Baron 2008: 254-5fn.17).

Baron contrasts the fact that we could easily save others' lives with the fact that Kant is not a maximizer who would demand that we do as much as we can (see also Baron 2015). It is correct that Kant is not a maximizer, but it is important to bear in mind that even a non-maximizing ethical theory can be very demanding. Partiality merely means that we can give certain preferences to ourselves or others, even if this would not result in the best state of affairs from an impartial perspective. Even on a non-impartial framework the suffering of many might outweigh great discomfort to ourselves or loved ones.⁴⁰

Baron does not develop her claim about partiality and non-maximizing in the context of the demandingness debate and this is therefore a task we must undertake now. To make matters even more intricate, Kant himself does not say much about what the normative status of personal relationships exactly is and in what sense they can moderate duties. We must therefore rely on a rational reconstruction of his views.

We should begin by pointing out that there is no tension between the existence of special obligations and the well-known fact that the formulations of the Categorical Imperative make no appeal to personal relationships and physical or other proximity. This is so because special obligations do not concern the question of what courses of actions to omit and what obligatory ends we have to adopt in the first place, issues that are matters of the Categorical Imperative alone. The Categorical Imperative, however, does not settle the question what the right ways are to further obligatory ends. Agents have to make use of their judgment for this. Whilst the Categorical Imperative rules out any bias towards the (physical or emotional) near when we determine what our duties are, it does not demand that we discard proximity when judging about ways to apply duties, if their application leaves latitude.⁴¹

How special obligations become part of Kant's moral philosophy in the first place is a difficult question. For our present purpose it is sufficient that Kant in the *Metaphysics of Morals* explicitly does acknowledge their existence and importance. Kant might simply see it necessary to accommodate these obligations, since they are part of our ordinary understanding of morality, which Kant seeks to systematize and vindicate (IV:393.2-4, V:8fn.), and they can serve to connect abstract moral principles to concrete cases.

A promising way to understand the status of special obligations is the following: If, due to giving in to my *inclinations*, I do not fulfill my special obligations to parents, benefactors, etc. I am blameworthy (guilty), since it is fairly clear that I did not adopt the end to further others' happiness at all. If I were to help anyone, it would be those near and dear to me (or people I owe gratitude) that I would help. By contrast, if I fail in my special obligations because *I am too impartial*, i.e., I prioritize greater (but not much greater) needs of strangers over needs of loved ones, I certainly have adopted the end of furthering others' happiness – I just got my priorities wrong *within* the framework that morality requires me to adopt (unless my neglect also constituted a violation of a duty of right, see below). According to this suggestion, Kant would think of people who selflessly help strangers but also neglect their family and friends not as cases of guilt, but he would not

⁴⁰ Murphy (1993: 273) and Scheffler (1993: ch.1) claim, correctly we believe, that demandingness is potentially a problem for every normative theory or at least every theory that contains a prescription to promote a good, not just for those which require this good to be *maximized*.

⁴¹ Herman (2001: 229) even claims that Kant's system of duties "makes some sense of our bias towards the local in beneficence".

endorse the actions of these agents.⁴² They lack concern for things that matter morally but they do have adopted the end of other's happiness and they do further this end.⁴³

The normative standing of special obligations presumably entails that if an agent's resources are limited and she cannot help strangers as well as loved ones to the full extent they need help, agents have to find a reasonable balance between obligations to strangers and loved ones and they do not have to treat everyone the same. Special obligations can be understood as a moral prerogative to give preferential treatment to people that one is naturally inclined to give preferential treatment to. They can be a source of moderation of our duties to distant strangers, since they shift the reasonable balance of the exercise of beneficence to activities that are usually less disruptive to the agent's life and that require fewer sacrifices in terms of personal commitments.

In order to assess the capacities of special obligation to moderate, we have to distinguish between two different kinds of personal relationships. There are those personal relationships that do not issue in duties of right but only in special obligations that influence the balancing of imperfect duties (1). These are the majority of personal relationships (friendship, the relationships to our parents, benefactors, etc.). By contrast, there is at least one personal relationship that does issue in a duty of right, namely, special obligations to one's own children (2). Let us look at them in turn.

(1) Balancing of Obligations under Beneficence: Kant does not say much about finding the right balance between the obligation to help strangers and special obligations. It should be noted that nothing he says suggests that reducing demandingness is a criterion for finding the right balance. This might at most be a by-product. Yet, special obligations are powerful sources of moderation in many mundane, or non-emergency cases, since agents who do not care about people they stand in special relations to have wrong priorities (see above). It is warranted to spend resources on loved ones that could also be spent on strangers instead and that would do more good for these strangers. There are, however, currently many cases of emergencies as described in section 2: existential and urgent need and, in the case of global poverty, this need is the need of many human beings. As we argued in section 2, emergency stands out as a factor in balancing different obligatory ends as well as when it comes to the question of how to promote the obligatory end of others' happiness.

Balancing different options to promote others' happiness is particularly difficult when some of these options relate to special obligations, since an agent might have to trade in very different currencies: emotional comfort of those near and dear vs. the suffering and possible death of many strangers. It is safe to say that the Kantian system of duties does not contain any general prescriptions implying that our special obligations to family, friends and benefactors who are not in an emergency situation and insofar as they do not issue in duties of right (see below) substantially reduce what we have to do for those in life threatening situations, and the moral salience of emergency speaks against such a reduction. The moral salience of emergency, however, leaves at least one form of moderation open, namely, as a tie-breaker in cases of emergencies to loved ones vs. emergency to strangers. In cases in which our resources are limited and many people face emergencies and some of these people are family members, friends, benefactors, the correct balance is to help loved ones first. This reduces demandingness in these situations, since we, are more inclined to help loved ones anyway.

⁴² Of course, friends and family have legitimate expectations to be favored in certain ways. However, we take it that these expectations, as such, do not amount to anything like a *promise* that we favor them and that hence impartiality does not violate promises to friends and family.

⁴³ This role of special obligation fits in neatly with the way Kant explains latitude and the distinction between meritorious actions and actions merely free of guilt in VI:390.

In so far as emergency is a central criterion for balancing the exercise of obligatory ends, special obligations seem more potent than other prescriptions to moderate beneficence. However, it is also the case that in affluent societies citizens are much less frequently in emergency situations than the millions of globally poor. Furthermore, the bulk of special relationships of people in affluent societies is to other members of this (or other) affluent societies who, as members of affluent societies, enjoy certain institutional protections against emergencies. Those financially in the best position to help will presumably only rarely be required to exhaust their resources on loved ones in emergencies.

In addition, special obligations do not necessary moderate demandingness and they can in fact *intensify* the duty to help the poor, namely, when one's parents, family or friends are poor, ill or otherwise in great need. Special obligations are not prerogatives to care about *oneself*, but about *others who are no strangers* and whom one stands in a morally significant relationship to. If my family is poor, I might have to sacrifice much to meet my special obligations. This has a counterintuitive implication: People with poor families (and these people are presumably often poor themselves) have stronger obligations to give to the poor (namely, their relatives) or to care more about them in non-financial ways if they cannot help them financially than those who come from a wealthy background and who do not stand in special relationships with poor people. This is particularly problematic in societies in which, due to lack of social mobility, poverty is largely inherited (as is currently the case in all societies). In these societies it is less likely that rich people will find themselves with poor parents or needy children to support, and, due to their special obligations, the poor will be morally required to bear an additional burden, namely, to care for their poor loved ones.

Special obligations are therefore a two-edged sword. They can shift some of the sacrifices required by beneficence to activities we might not experience as great burdens. For people from wealthy backgrounds, including middle-class Westerners, who have social ties mainly to those equally well off, however, this will hardly ever make it reasonable that their obligations to the globally worst off are substantially limited. For many poor people, special obligations might even increase demandingness.

(2) *Duties of Right*: Some special relationships do not merely result in something that informs our balancing, but in duties of *right*. A duty of right is a duty "to the performance of which one can be coerced" (VI:220.12-3). As perfect duties, they take precedence over the promotion of obligatory ends. Kant has in mind here chiefly parental (legal) obligations to "preserve and care for" one's own offspring "until they are able to look after themselves" (VI:280.13-21). Parents incur this obligation because they bring their children into the world without their consent and hence the burden to take care of the child rests with the parents until children can make their own decisions (ibid.280.22-281.5). Kant presumably thinks of bringing someone into the world as a treatment that violates consent and the status of an agent as an end in itself. The juridical duty might then have the status of a duty of restitution

Whilst duties of right are duties of the most stringent kind, the scope of the duty to one's children is quite narrow. Kant does not think that parents have the duty to do as much for their children as they possibly can, or to do so to the detriment of other obligations. Kant's examples for instantiations of the duty of right to one's children are that parents cannot destroy their children as if they were merely property, nor can they abandon their children to chance (ibid.281.6-11). This even leaves open that parents give their children away for adoption, as long as the foster care system is not so dysfunctional that this would be tantamount to abandoning the children to chance. In addition, only *nourishing* one's children is a perfect and legally enforceable duty. Even "the rearing of children up to the point of self-sufficiency" is meritorious and hence not a perfect duty

(XXVII:670.27-671.3). Whilst the duty of beneficence on a Kantian framework cannot require that you leave your helpless toddler alone for weeks (and possibly in danger of neglect and even death) to fight Ebola in Africa, and you even deserve punishment if you do so, it seems that your duties towards strangers can still be very stringent if strangers are in emergency situations (you could for instance be required to donate a substantial amount of money to the victims of Ebola even if that means that you cannot pay for your child's education at an expensive college).

Special obligations are the most potent way of moderating demands to the globally poor. The most important aspect of special obligations is that they can give rise to duties of right. Kant, however, believes that these duties of right only require that we do a minimum, such as preserve a person's existence and, at most, bring her to a state where she can provide for herself. It seems that, at least for middleclass Westerners, special obligations to one's children leave enough resources at their disposal to significantly improve the lives of the worst-off.⁴⁴ In the case of other special obligations, we are again back to balancing, and here, just as in the case of duties to self, emergency is an important factor.

The importance of special obligations for the question of how much Kant's ethics asks us to sacrifice raises a number of important questions for further investigation. Firstly, how do these special obligations exactly relate to the Categorical Imperative formulae? Secondly, are there other special relationships, which give rise to stringent duties (of right) and which thusly moderate our duties to strangers? One candidate would be duties we incur when we enter a legal contract with a spouse, since it is part of the contract to provide for each other. A further investigation into the exact nature and normative implications of special relationships might uncover a Kant that is more moderate than what our discussion of these relationships suggests. As it stands, however, we believe that special obligations do not substantially moderate the duty of beneficence for relatively affluent Westerners.

6. Conclusion

We argued that the indirect duty to secure happiness and the imperfect duty to develop one's talents cannot significantly reduce the demandingness of beneficence, at least not once we consider the role of emergency. Special obligations are better suited for this, but even they cannot do much to reduce demandingness in the light of global poverty. We also expressed doubt as to whether the three classes of moral prescriptions we discussed can fully encompass what we commonly take to be well-being and personal projects. If happiness, projects and personal relationships become a duty, some aspects of our ordinary understanding of them are lost, and some unwelcome moral aspects are added. Furthermore, even if the argument from the system of duties were successful in integrating well-being, personal projects and special relationships into the system of duties, it gives them a very weak standing within the system: Happiness is only an indirect duty, and developing one's talents and most special obligations are only relevant on the level of imperfect duties and can always be trumped by perfect duties.

For Kant the fact that there are other imperfect duties than those to help the most needy does not substantially moderate those duties, which, under current conditions, are the source of the most vexing demands. Does this mean that Kant's ethics is overdemanding? It should be noted that our discussion was merely one part of the bigger project of determining the demandingness of Kantian

⁴⁴ Our relationship to our children can of course only moderate the demandingness of beneficence under the assumption that spending time with our children and providing for them is something we enjoy or at least do not experience as a great burden. This assumption, we take it, is usually but not always true. The same holds for other special obligations. If you dislike your family, special obligations towards family members might be very demanding.

ethics. There are, at least, three more important factors that we need to take into account if we want to understand how demanding the Kantian system of duties is overall. The first makes Kant potentially more demanding, the others could be sources of moderation.

Firstly, we largely bracketed demands of *perfect duties*. These are duties of the most stringent kind: They allow for no latitude and they may never be violated. Kant is clear that in certain circumstances in particular the duty not to lie can be extremely costly and that in these situations there is no safety net whatsoever for an agent's happiness, projects, and relationships.⁴⁵ Secondly, in our discussion we also largely bracketed *non-moral ends*. We only argued that, currently, intra-moral limitations do not substantially moderate the demandingness of beneficence greatly. Discussing the balancing of moral and non-moral ends is difficult on a Kantian framework, since it involves weighing ends rooted in pure practical reason against ends rooted in something different altogether, namely, in empirical determining grounds. A further enquiry into this matter therefore has to discuss in detail Kant's conception of non-moral practical rationality as well as his conception of the power of judgement developed in the Third Critique.⁴⁶ Thirdly, there is one formulation of the Categorical Imperative that might provide the resources to develop a more moderate Kantian ethics: the *Kingdom of Ends Formula* (IV:436.23-6). This formula, though Kant says little about it, is sometimes understood as a form of Contractualism in which agents are required to set their ends such that they would be suitable for an ideal community. We could understand the Kingdom of Ends as only requiring the amount of sacrifice (at least with regard to imperfect duties) that would be required under conditions of ideal compliance, or if everyone set their ends such that things would go best. This, however, would require substantial additional work on this formula as well as on Kant's stance towards ideal and non-ideal theory in ethics as well as speculation about how Kantian agents are to respond to wide-spread non-compliance with imperfect duties.

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⁴⁵ See the Gallow's Cases in which an agent is pressured on pain of execution to lie in court (V:30, 155-6). On the demandingness of perfect duties see also van Ackeren, Sticker (2015).

⁴⁶ See O'Neill (1986: 22-9) for further thoughts on this.

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